

GUIDEPOINT GLOBAL EMPLOYEE HANDBOOK

October 8, 2018



GUIDEPOINT

EMPLOYMENT POLICIES

EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT

Equal Employment Opportunity Employer

GUIDEPOINT is an equal employment opportunity employer. It has been and will continue to be a fundamental policy of GUIDEPOINT not to discriminate on the basis of race, color, creed, religion, gender, gender identity, pregnancy, marital status, partnership status, domestic violence victim status, sexual orientation, age, national origin, alienage or citizenship status, veteran or military status, disability, handicap, genetic information or any other characteristic protected by federal, state or local law. This policy applies to all aspects of employment, including hiring, promotion, demotion, compensation, training, working conditions, transfer, job assignment, benefits, layoff, and termination.

All employees of GUIDEPOINT are responsible for complying with this Equal Employment Opportunity Policy ("EEO Policy"). As a condition of employment, every employee is to treat all other employees equally and fairly. Perceived violations of this EEO Policy should be reported to your supervisor or to Human Resources.

POLICY PROHIBITING DISCRIMINATION AND HARASSMENT INCLUDING SEXUAL HARASSMENT

GUIDEPOINT is absolutely committed to a work environment that is free from harassment and intimidation based upon race, color, creed, religion, gender, gender identity, marital status, partnership status, domestic violence victim status, sexual orientation, age, national origin, alienage or citizenship status, veteran or military status, disability, handicap, genetic information or any other characteristic protected by federal, state or local law. Each individual has the right to work in a professional atmosphere in which all individuals are treated with respect and dignity and that promotes equal employment opportunity and prohibits discriminatory practices, including sexual or other unlawful harassment. Accordingly, GUIDEPOINT strictly prohibits any form of sexual or other harassment, discrimination or retaliation in the workplace. If such harassment, discrimination or retaliation does occur, GUIDEPOINT will take swift corrective action, up to and including termination of the offender.

Definition of Harassment

Sexual Harassment

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is defined as unwelcome and unwanted sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Sexual harassment may include a range of subtle and not so subtle behavior and may involve individuals of the same or different genders. It is not possible to specify all of the circumstances which may constitute sexual harassment. Some courts have determined that behavior need not be explicitly "sexual" to constitute sexual harassment. Examples of strictly prohibited harassing conduct include, but are not limited to:

- unwelcome or unwanted sexual advances;
- subtle or overt pressure for sexual favors;
- sexual flirtation or advances;

- lewd, off-color, sexually-oriented comments, jokes or innuendoes;
- sexual propositions;
- preferential treatment or promise of preferential treatment to an employee for submitting to sexual conduct;
- verbal abuse of a sexual nature;
- graphic commentary about an individual's body;
- discussion of sexual prowess or sexual deficiencies;
- touching, such as rubbing or massaging someone's neck or shoulders, stroking someone's hair, or brushing against another's body;
- sexually-suggestive touching;
- leering, whistling, grabbing, groping, kissing, pinching, fondling, assaulting or coercing sexual acts;
- suggestive insulting or obscene comments or gestures;
- unwanted repeated requests for dates;
- sexual gestures or intimations;
- offensive email or voicemail messages;
- questions about one's sex life or experiences; or
- display in one's office or work space of sexually suggestive objects or pictures.

Similarly, words or actions that insult, degrade or exploit others on the basis of gender may constitute sexual harassment. Behavior that would tend to make the working environment unpleasant, more difficult, inhospitable or hostile to employees of a given gender – whether male or female – should be avoided at all times. This prohibition extends to office or work space displays, including, but not limited to, materials sent, received or displayed electronically (including screen savers, cartoons, pictures, etc.) that insult, degrade or exploit others based on gender (or any other characteristic protected by law as described in this policy), whether or not intended to have that effect.

Who Can Be a Target of Sexual Harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York State Law and this policy protect employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. A perpetrator of sexual harassment can be a superior, a subordinate, a coworker, or anyone in the workplace, including an independent contractor, contract worker, vendor, client, customer, or visitor.

Where Can Sexual Harassment Occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur anywhere that employees interact including, but not limited to: employees traveling for business, an employer-sponsored event or party, and calls, texts, emails, and social media usage by and between employees and others covered by New York State's sexual harassment laws.

Supervisory Responsibilities

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior, or for any reason suspect that sexual harassment is occurring, are required to report such suspected sexual harassment to GUIDEPOINT'S Human Resources Department.

Supervisors and managers will be subject to discipline if, after a full and fair investigation, GUIDEPOINT concludes that they have engaged in sexually harassing conduct, failed to report suspected harassment, or otherwise knowingly allowed sexual harassment to continue, or if they engage in any retaliation.

Other Types of Harassment

GUIDEPOINT'S policy equally prohibits harassment of any individual on any other basis including, but not limited to, that individual's race, color, creed, religion, gender, gender identity, marital status, partnership status, domestic violence victim status, sexual orientation, age, national origin, alienage or citizenship status, veteran or military status, disability, handicap, genetic information or any other characteristic protected by federal, state or local law.

Harassment can include verbal or physical conduct that ridicules or shows hostility or aversion to an individual because of any of the characteristics identified above or any other characteristic protected by federal, state or local law (or that of the individual's relatives, friends or associates) that has the purpose or effect of unreasonably interfering with an individual's work performance or otherwise adversely affects an individual's employment opportunities. Strictly prohibited harassing conduct includes, but is not limited to, the following: slurs, negative stereotyping, making job performance more difficult or threatening, intimidating or hostile acts that relate to race, color, creed, religion, gender, gender identity, marital status, partnership status, domestic violence victim status, sexual orientation, age, national origin, alienage or citizenship status, veteran or military status, disability, handicap, genetic information or any other characteristic protected by federal, state or local law; or written, offensive or graphic material/pictures that are posted or circulated in the workplace and that ridicule or show hostility or aversion to an individual because of any of the characteristics identified above or any other characteristic protected by federal, state or local law.

Conduct prohibited by this policy is unacceptable at GUIDEPOINT and in any work-related setting outside GUIDEPOINT, such as during business trips or business-related social events.

PROCEDURES FOR REPORTING HARASSMENT OR DISCRIMINATION

GUIDEPOINT encourages, but does not require, individuals who believe they are being harassed or are subjected to discrimination, or who are aware of such conduct, to promptly tell the offender that his or her behavior is unwelcome and ask that it stop.

Whether or not an individual chooses to confront the offender directly, the individual should promptly notify his or her supervisor or Human Resources and submit an Employee Complaint Form, which can be found on GUIDEPOINT's intranet and in Human Resources at any time.

There may be instances in which an individual seeks only to discuss matters with his or her supervisor or a member of Human Resources and such discussion is encouraged. An individual reporting harassment or discrimination should be aware, however, that GUIDEPOINT may be obligated by law to take action beyond an informal discussion in order to properly address that situation.

Likewise, if a supervisor or manager observes or receives information regarding any harassment or discrimination, he or she **MUST** report it immediately to his or her supervisor and/or to Human Resources. GUIDEPOINT encourages prompt reporting of complaints or concerns so that rapid and appropriate action can be taken before relationships become irreparably strained. Therefore, while no fixed reporting period has been established, early reporting and intervention should prove to be the most effective method of resolving actual or perceived incidents of harassment or discrimination.

INVESTIGATION OF COMPLAINTS

Any reported allegations of sexual or other harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with others who have seen or heard the alleged conduct or have other relevant knowledge. All individuals involved, including the complainant, may be required to cooperate as needed in an investigation of suspected sexual harassment and will not be retaliated against for doing so. All persons involved,

including complainants, witnesses, and alleged perpetrators, will be afforded due process to protect their rights to a fair and impartial investigation.

The complaint and investigation will be handled with sensitivity, and confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances.

GUIDEPOINT considers any violation of this policy to constitute a major offense that can result in disciplinary action up to and including termination of employment. Any individual who violates this policy may also be personally liable in any legal action brought against him or her under applicable laws

LEGAL PROTECTIONS AND EXTERNAL REMEDIES

Both GUIDEPOINT and federal, state, and local law prohibits sexual and other forms of harassment. Aside from GUIDEPOINT's internal complaint and investigation process, employees may choose to pursue legal remedies with the following governmental entities and may be entitled to remedies including: hiring or reinstatement, back pay, front pay, compensatory damages, emotional distress damages, punitive damages, fees and costs (including attorneys' fees), or other equitable relief. Employers and/or perpetrators may also be liable for civil fines.

The New York State Division of Human Rights (NYSDHR) enforces the New York State Human Rights Law (NYSHRL), codified at N.Y. Executive Law, art. 15, § 290 *et seq.*, which protects employees and other covered individuals in New York State from sexual and other harassment and discrimination. Individuals may file a complaint (with or without legal representation) with the NYSDHR within 1 year of the alleged unlawful conduct at www.dhr.ny.gov/complaint or by calling (888) 392-3644. For more information, visit <https://www.ny.gov/programs/combating-sexual-harassment-workplace>. Employees may also file a complaint with the New York State Supreme Court within 3 years of the alleged unlawful conduct. Individuals may not file with the NYSDHR if they have already filed in state court, and complaining internally will not extend the time to file a complaint with the NYSDHR or in state court.

The U.S. Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the Civil Rights Act of 1964, codified at 42 U.S.C. § 2000e *et seq.* Individuals may file a complaint with the EEOC (with or without legal representation) within 300 days of the alleged unlawful conduct at www.eeoc.gov, info@eeoc.gov, or by calling (800) 669-4000. There is no cost to file a complaint with the EEOC. If any individual files a complaint with the NYSDHR, the NYSDHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

The New York City Commission on Human Rights (NYCCHR) enforces the New York City Human Rights Law (NYCHRL), which protects employees and other covered individuals in New York City from sexual and other harassment and discrimination. Employees who work in New York City may file a complaint (with or without legal representation) within 3 years for sex-based and sexual harassment claims or within 1 year for other claims at www.nyc.gov/HumanRights, or by calling 311 or (212) 306-7450.

ANTI-RETALIATION

Any retaliation, including but not limited to intimidation, coercion, threats, discipline, change of work assignments, refusal to cooperate or discuss work-related matters, intentionally pressuring, or harassment or discrimination resulting from an individual making or encouraging another employee to make an internal or external complaint under this policy, or cooperating in any investigation of a complaint of harassment or discrimination, is also a serious violation of this policy and is unlawful under federal, state, and local law. Such conduct will itself give rise to appropriate corrective action up to and including termination of employment. Acts of retaliation should be reported immediately to Human Resources or your supervisor, who will promptly investigate it in accordance with our complaint and investigation policies. Employees are also encouraged to submit an Employee Complaint Form for alleged or suspected retaliation.

AMERICANS WITH DISABILITIES ACT

The Company is committed to complying with all applicable provisions of the Americans with Disabilities Act ("ADA"). It is the Company's policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's disability or perceived disability so long as the employee can perform the essential functions of the job. Consistent with this policy of nondiscrimination, the Company will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made the Company aware of his or her disability, provided that such accommodation does not constitute an undue hardship on the Company.

Employees with a disability who believe they need a reasonable accommodation to perform the essential functions of their job should contact the Human Resources Department. GUIDEPOINT encourages individuals with disabilities to come forward and request reasonable accommodation.

Procedure for Requesting an Accommodation under the ADA

On receipt of an accommodation request, a member of the Human Resources Department and your supervisor will meet with you to discuss and identify the precise limitations resulting from the disability and the potential accommodation that GUIDEPOINT might make to help overcome those limitations.

GUIDEPOINT will determine the feasibility of the requested accommodation considering various factors including, but not limited to the nature and cost of the accommodation, the availability of tax credits and deductions, outside funding, GUIDEPOINT's overall financial resources and organization, and the accommodation's impact on the operation of the Company, including its impact on the ability of other employees to perform their duties and on GUIDEPOINT's ability to conduct business.

GUIDEPOINT will inform the employee of its decision on the accommodation request or on how to make the accommodation. If the accommodation request is denied, employees will be advised of their right to appeal the decision by submitting a written statement explaining the reasons for the request. If the request on appeal is denied, that decision is final.

The ADA does not require GUIDEPOINT to make the best possible accommodation, to reallocate essential job functions, or to provide personal use items (i.e., eyeglasses, hearing aids, wheelchairs etc.).

An employee or job applicant who has questions regarding this policy or believes that he or she has been discriminated against based on a disability should notify the Human Resources Department. All such inquiries or complaints will be treated as confidential to the extent permissible by law.